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February 6, 2003

FEB - 6 2003

Federal Communications Commission  
Office of Secretary

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW, Room TW-A325  
Washington, D.C. 20554

Re: Review of Section 251 Unbundling Obligations of  
Incumbent Local Exchange Carriers CC Docket Nos. 01-338

Dear Ms. Dortch:

This letter is to provide notice of an ex parte meeting on February 6, 2003 by Perry Kamel, Executive Vice President, Strategy and Marketing, Siemens Information and Communications Network and Mark Esherick, Director of Government Relations, Siemens Corporation with Commissioner Kevin Martin and Ms. Emily Willeford. The purpose of the meeting was to discuss issues associated with the Triennial Review of Unbundling Obligations of Incumbent Local Exchange Carriers.

The FCC should take immediate action to adopt policies that encourage market-based competition as a means of stimulating investment in converged broadband facilities. Converged broadband will enable optimal utilization of next-generation facilities while spurring innovation in and adoption of advanced applications and services. Specifically, Siemens encourages the FCC to support policies based on the following principles:

1. In order to promote market-based competition in the deployment of converged broadband, the FCC should not impose unbundling requirements on new, converged broadband facilities.
2. Competitive carriers should have continued access to legacy facilities on an unbundled basis, in accordance with the necessary and impair standard.
3. Competitive carriers should have the option, where technically feasible, of connecting their own next-generation elements to the unbundled legacy facility in order to provide converged broadband services.
4. Should the incumbent carrier elect to consolidate traffic from such legacy facilities onto new fiber facilities, the incumbent carrier should provide

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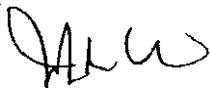
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equivalent functional capacity. The incumbent carrier should not be required to provide advanced capabilities beyond those offered today.

5. Should the competitive carriers wish to deliver more advanced capabilities, the competitive carrier should elect whether to invest in its own assets or to negotiate wholesale market rates for such enhanced capabilities.

Pursuant to Section 1.1206 of the FCC's rules, this notice and the meeting presentation are being filed for inclusion in the public record of each of these proceedings. If you have any questions, please contact me.

Sincerely,



Mark Esherick  
Director of Government Affairs

## Attachments

CC: Chairman Michael K. Powell  
Commissioner Kathleen Q. Abernathy  
Commissioner Jonathan S. Adelstein  
Commissioner Michael J. Copps  
Commissioner Kevin J. Martin  
Marsha MacBride  
Christopher Libertelli  
Matthew Brill  
Lisa Zaina  
Jordan Goldstein  
Dan Gonzalez  
William Maher  
Jeff Carlisle  
Michelle Carez  
Thomas Navin  
Robert Tanner  
Julie Veach  
Jeremy Miller  
Emily Willeford